

Docket No.: **2003.796 US**

DECLARATION AND POWER OF ATTORNEY

As the below named inventors, we hereby declare that:

Our residence post addresses are as stated below our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A METHOD FOR THE PREPARATION OF ENANTIOMERICALLY PURE MIRTAZAPINE

is attached hereto, and/or

was filed on 05-Jul-2004 as Int'l Appln Ser. No. PCT/ EP04/051357

and was amended on _____ (if applicable)

We hereby state that we have reviewed and understand the contents of the above- identified specification, including the claims, as amended by any amendment referred to above. All factual statements made in the specification of our own knowledge are true and all factual statements made on information and belief are believed to be true.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

<u>03102095.1</u>	<u>EP</u>	<u>10-Jul-2003</u>	<u>X Yes</u>	<u>No</u>
(Number)	(Country)	(Day/Month/Year)		

We hereby claim the benefit under Title 35, United States Code § 119 of any provisional application(s) listed below:

Appln. Ser. No.	Country	Day/Month/Year
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We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Appln. Ser. No.)	(Filing Date)	(Status: patented, pending, abandoned)
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2003.796 US

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following as my attorneys of record, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent Office:

Louis A. Morris, Reg. No. 28,100
Ralph J. Mancini, Reg. No. 34,054
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We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor, if any **WIERINGA, Johannes, Hubertus**

Inventor's signature 

Date 30 November '68

Citizenship: Dutch

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Full name of **second** inventor, if any **VAN DE VEN, Adrianus, Antonius, Martinus**

Inventor's signature 

Date 5 December 2005

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Full name of **third** inventor, if any **KEMPERMAN, Gerardus, Johannes**

Inventor's signature 

Date 2 - December 2005

Citizenship: Dutch

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Full name of **fourth** inventor, if any

Inventor's signature _____

Date _____

Citizenship:

Residence:

Post Office Address: